

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ENTROPIC COMMUNICATIONS, LLC

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.,

Defendant.

Civil Action No. 2:22-CV-00125-JRG

JURY TRIAL DEMANDED

**DECLARATION OF JAMES A. SHIMOTA IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT OF VALIDITY UNDER 35 U.S.C. § 101**

I, James A. Shimota, declare:

1. I am a Partner with the law firm of K&L Gates LLP, and I am counsel of record for Plaintiff Entropic Communications, LLC (“Entropic”) in the above-captioned matter. I am submitting this declaration in support of Entropic’s Motion for Summary Judgment of Validity Under 35 U.S.C. § 101. I have personal knowledge of the matters stated herein and, if called to testify to such matters, I could and would testify hereto.

2. Attached as Exhibit A is a true and correct copy of The Opening Expert Report of Steven H. Goldberg Regarding Invalidity of U.S. Patent Nos. 8,223,775; 8,284,690; 8,792,008; 9,210,362; 9,825,826; and 10,135,682, which was served on Entropic on July 21, 2023.

3. Attached as Exhibit B is a true and correct copy of the Supplemental Expert Report of Steven H. Goldberg Regarding Invalidity of Claims 3–6 of U.S. Patent No. 8,792,008 and Entropic’s Contentions Regarding Objective Indicia of Nonobviousness of the Asserted Patents, which was served on Entropic on August 14, 2023.

I certify under penalty of perjury under the laws of the United States that the foregoing statements are true and correct. Signed this 11th day of September, 2023.

/s/ James A. Shimota
James A. Shimota